

**SPECIAL JOINT COMMITTEE
OF THE TENNESSEE GENERAL ASSEMBLY
TO STUDY UNSOLVED CIVIL RIGHTS CRIMES
AND COLD CASES**



**STATUS REPORT AND PRELIMINARY
OBSERVATIONS
January 11, 2018**

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EXECUTIVE SUMMARY

The Special Joint Committee has spent considerable time gathering witnesses, researching historical and academic data, and collaborating with our law enforcement and civilian partners to determine the scope of the issue, namely identifying unsolved racially-motivated violent crimes occurring during the Civil Rights Era in Tennessee. Specifically, we have concentrated our efforts on identifying victims in Tennessee who have not received justice because the perpetrators remained unknown and unprosecuted, and we have discussed options on how to proceed. In summary, as presented in the Committee's Preliminary Observations, there is a need to continue the work to ensure that no victim is left undiscovered or unacknowledged, communities are provided a genuine opportunity for reconciliation, and that, wherever possible, every Civil Rights Era Case is thoroughly investigated.

Over the past several months, the Committee invited several distinguished individuals to testify before the Committee to provide the members with both primary and secondary accounts of Civil Rights Era Cold Cases. The Committee heard from victims and survivors of racially-motivated violence who lived, worked, and raised their families in Tennessee. They painfully explained how experiencing such violence and hatred shaped their lives in such a way that they never forgot the horror they endured. The committee heard from members of the law enforcement community, including the United States Attorney for the Middle District of Tennessee, the District Attorney for Davidson County, a retired FBI Special Agent, and a retired Assistant United States Attorney, who detailed the barriers and challenges to investigating and prosecuting crimes which occurred decades ago. They all agreed, however, that these cases deserve renewed attention in order to bring actual justice to victims of these crimes, where available, and to help restore confidence in the judicial system both to the community at large and for the surviving families of victims.

The Committee also invited journalists, academics, a member of the clergy, and a civil rights lawyer to testify about their research into several unsolved

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bombings that shaped Nashville's history as a beautiful city that experienced racial division and untold violence against innocent people.

Finally, the Committee was fortunate to have dedicated academic researchers and students compile a list of cases for review which they have uncovered and identified as pertinent to this work.

The members of the Committee are humbled and grateful to expend time and energy to bringing justice, long delayed, to victims and survivors in Tennessee.

THE SPECIAL JOINT COMMITTEE

STATUTORY MANDATE

In 2017, the General Assembly passed HB1306/SB1279 by Representative Johnnie Turner and Senator Mark Norris, which created a Special Joint Committee (“SJC”) of the General Assembly tasked with “study[ing] issues relating to the investigation and prosecution of unsolved civil rights crimes and cold cases from the “civil rights era” and “make recommendations concerning the desirability of a statutorily established commission or other appropriate means to conduct investigations and prosecutions of these heinous civil rights crimes that may still take place.” The bill called for the Committee to consist of three members of the Senate and three members of the House of Representatives with members appointed by the respective Speaker. HB1306/SB1279 was passed on May 10, 2017 and signed by the Governor on June 6, 2017. It was assigned Chapter 488 of the Public Acts of 2017.

MEMBERSHIP

The Speaker of the House of Representatives and Speaker of the Senate appointed the following members to serve on the Special Joint Committee:

- Senator Mark Norris
- Senator Ed Jackson
- Senator Thelma Harper
- Representative Johnnie Turner
- Representative Tilman Goins
- Representative Tim Rudd

On July 25, 2017, the SJC held its first meeting. At that time, Representative Johnnie R. Turner was elected Chairman, Senator Ed Jackson was elected Vice Chairman, and Representative Tim Rudd was elected Secretary.

On October 25, 2017, the Speaker of the House of Representatives and the Speaker of the Senate agreed by letter to convert the SJC on January 16, 2018, to the “Ad Hoc Task Force on Unsolved Civil Rights Crimes,” extending its operations through the conclusion of the 2018 Session of the 110th General Assembly “contingent upon receipt of the status report of the Unsolved Civil Rights Crimes Special Joint Committee pursuant to Chapter 488 of the Public Acts of 2017.” This report is intended to satisfy that requirement and ensure that the Committee converts to the Task Force in accordance with the terms of the Speakers’ letter.

TENNESSEE HISTORICAL JUSTICE COALITION

In response to HB1306/SB1279, a group of Tennessee educators, lawyers, historians, students, clergy, and civil rights leaders gathered to discuss ways to support the SJC. These discussions led to the creation of the Tennessee Historical Justice Coalition (“the Coalition”), an informal network of citizen volunteers dedicated to promoting justice for victims of civil rights era crimes in Tennessee by supporting and fostering the work of the SJC.

On July 25, 2017, after the SJC elected its officers, the Committee solicited a proposal from the Coalition to provide a menu of options for ways that the Coalition could support the Committee’s work. The Coalition submitted a proposal on August 16, 2017, and the SJC voted unanimously to accept the Coalition’s offer of assistance.

PRELIMINARY OBSERVATIONS

Based on the foregoing, the Special Joint Committee observes that:

1. The State of Tennessee has the responsibility to defend its citizens from both civil and criminal violations of their civil rights.
2. Each unsolved civil rights era cold case presents an opportunity to rectify a longstanding injustice.
3. Unsolved civil rights era crimes including murder, kidnapping, and bombings of private, public, and religious structures exist in Tennessee. These events have exacted a severe toll on the victims, their families, congregations, communities and, ultimately, on the Peace and Tranquility of our beloved State.
4. The testimony of unsolved civil rights crimes and their effects, presented to the Committee, represents only a sample of civil rights era crimes. Presently, the total number of unsolved civil rights crimes in Tennessee is unknown.
5. Determining the number of unsolved civil rights crimes statewide, reviewing each case, and deciding which cases should be investigated further, prosecuted, or dealt with through some means of restorative justice, is a substantial undertaking best performed by the State of Tennessee.
6. Healing the wounds inflicted by past civil rights crimes through restorative justice is in some instances as important as, and in some cases more important than, prosecuting living perpetrators.
7. The State of Tennessee has the opportunity to be a model for the nation in the reconciliation of these past wrongs.
8. Currently, Tennessee has no mechanism for determining the total number of unsolved civil rights era crimes statewide, reviewing and investigating known cases, or for implementing restorative justice.

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The Special Joint Committee intends to continue to work as an Ad Hoc Task Force for the Speakers and will, at the appropriate time during the 2018 session of the 110th General Assembly, file Findings, Recommendations and Proposed Legislation.

The Special Joint Committee hereby files this Status Report with the Speaker of the Senate and Speaker of the House of Representatives on this the 11th day of January, 2018

Rep. Johnnie R. Turner, Chair
Special Joint Committee